

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**Clerk's Minutes**  
**Before the Honorable Kea W. Riggs**

**CASE NO.** CR 23-748 KWR

**DATE:** March 5, 2025

**TITLE:** *USA v. Solomon Pena*

**COURTROOM CLERK:** C. Bevel

**COURT REPORTER:** A. Lynch

**COURT IN SESSION:** 9:36AM-10:00AM

**TOTAL TIME:** 24 minutes

**TYPE OF PROCEEDING:** PRETRIAL CONFERENCE

**ATTORNEYS PRESENT FOR PLAINTIFF(S):**

Patrick Cordova, Jeremy Pena, William  
Gullotta

**ATTORNEYS PRESENT FOR DEFENDANT(S):**

Nicholas Hart, Carter Harrison

**PROCEEDINGS:**

9:36am Court in session, counsel enter appearances, defendant present in custody. Court notes trial begins Monday, March 10<sup>th</sup>. Court reviews trial process. Court notes two members of the venire panel have been excused based on change of address. Court makes inquiries about trial stipulations.

9:38am AUSA Cordova responds, could be more stipulations regarding exhibits.

9:39am Court has reviewed the trial schedule. Clarifies that defense has no new exhibits other than what was originally submitted by previous counsel.

9:40am Mr. Hart indicates they will provide a JERs disk with exhibits next week.

9:41am Court reviews process for voir dire and jury selection. Court notes overflow courtroom will be available (Bonito) for overflow and selection will be in Rio Grande.

9:43am AUSA Pena requests an hour or voir dire.

9:43am Mr. Hart request the same.

9:44am Court will permit 1 hour for voir dire. Court requires counsel present at 8:30 and begins court at 9, ending at 5 or very close. Court cautions defendant about having trial shackles kept underneath the table which will have privacy skirting. Court inquires about opening arguments

9:48am AUSA Cordova and Mr. Hart request 30 minutes.

9:48am Court will permit 30 minute each for opening statements. Mr. Hart will invoke the rule regarding witnesses. Court will select 2 alternates for trial, counsel agree. Court addresses juror viewing firearms and/or ammunition and explains process. Court continues to take ruling on shot spotter MIL under advisement.

9:52am Mr. Hart inquires about standing for court while defendant is in leg chains.

9:52am AUSA Cordova addresses schedule for trial. United States will provide a new JERs disk and updated exhibits. Clarifies witness testimony with firearms.

9:55am Mr. Hart opposes custody witness being in street clothes.

9:56am Court will not permit custody witness to be in street clothes.

9:57am Mr. Hart does not anticipate calling any witnesses at this time, could call defendant.

9:57am Counsel have nothing further.

10:00am Court in recess.